

## DETAILED ACTION

### *Examiner's Amendments*

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this Examiner's amendment was given in a telephonic interview with Albert Watkins (USPTO Registration No. 31,676) on or about February 9, 2010.
3. The application has been amended two (2) times as follows:
  - A) Cancel claims 23, 24, and 33-47.
  - B) In claim 18, line 16, insert after "comprising histogram analysis" and before "to determine associated ones" the phrase:  
--, moments of order analysis, and peak finding techniques--

### *Reasons for Allowance*

4. The following is an Examiner's Statement of Reasons for Allowance: The prior art taken alone or in combination failed to teach or suggest "analyzing said at least one individual radiological image within said image sequences corresponding to said super orders using automated electronic image analysis comprising histogram analysis, moments of order analysis, and peak finding techniques to determine associated ones of said radiological orders" as recited in independent claim 18.

5. The closest prior art found during extensive searching was Doi, et al. (US 2002/0021829 A1) which discloses using histogram analysis to determine radiological images associated with a particular patient (see paragraph 0040). Doi however does not teach using histogram analysis, moments of order analysis, and peak finding techniques together to determine associated radiological images. Moreover, the missing claimed elements from Doi are not found in a reasonable number of reference(s). Yet even if the missing claimed elements were found in a reasonable number of references, a person of ordinary skill in the art at the time the invention was made would *not* have been motivated to include these missing elements in an embodiment in the Doi disclosure because using these recited techniques, while known in the graphics industry, are new to the radiology art because they are used to divide anatomical images into anatomically relevant sequences. Therefore, these features are not obvious because none of the prior art teaches analyzing said at least one individual radiological image within said image sequences corresponding to said super orders using automated electronic image analysis comprising histogram analysis, moments of order analysis, and peak finding techniques to determine associated ones of said radiological orders.
6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **JOSEPH BURGESS** whose telephone number is **(571)270-5547**. The Examiner can normally be reached on Monday-Friday, 9:00am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JERRY O'CONNOR** can be reached at **(571)272-6787**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866)217-9197 (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks  
Washington, D.C. 20231**

or faxed to **571-273-8300**. Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

**Randolph Building  
401 Dulany Street  
Alexandria, VA 22314.**

JOSEPH BURGESS

3/2/2010

Examiner

Art Unit 3626

/Robert Morgan/

Primary Examiner, Art Unit 3626